



# AGENDA

## BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Regular Meetings: The First,  
Second, And Third Tuesday  
of each month

**Regular Meeting**

County Courthouse,  
Bridgeport, CA 93517

**October 4, 2011**

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**NOTE:** In compliance with the Americans with Disabilities Act if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (760) 932-5534. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517), and in the County Offices located in Minaret Mall, 2nd Floor (437 Old Mammoth Road, Mammoth Lakes CA 93546). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at [www.monocounty.ca.gov](http://www.monocounty.ca.gov). If you would like to receive an automatic copy of this agenda by email, please send your request to Lynda Roberts, Clerk of the Board : [lroberts@mono.ca.gov](mailto:lroberts@mono.ca.gov).

***UNLESS OTHERWISE SPECIFIED BY TIME, ITEMS SCHEDULED FOR EITHER THE MORNING OR AFTERNOON SESSIONS WILL BE HEARD ACCORDING TO AVAILABLE TIME AND PRESENCE OF INTERESTED PERSONS. PUBLIC MAY COMMENT ON AGENDA ITEMS AT THE TIME THE ITEM IS HEARD.***

**9:00 AM**      **Call meeting to Order**

**Pledge of Allegiance**

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD** on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

**Approximately  
thru 10:00 a.m.**      **CLOSED SESSION**

**BOARD OF SUPERVISORS**

**1a)**      **Closed Session** - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. Number of potential cases: One.

**1b)**      **Closed Session** - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Government Code

section 54956.9. Number of potential cases: four.

- 1c) **Closed Session--CAO** - PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.
- 1d) **Closed Session--County Counsel** - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: Implementation of Mono County Mountain Gate Project.
- 1e) **Closed Session--County Counsel** - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: United States v. Walker River Irrigation District (C-125-B and C).
- 1f) **Closed Session--Human Resources** - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, Brian Muir, and Jim Arkens. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.
- 1g) **Closed Session--Performance Evaluation, County Counsel** - PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Counsel.

2) **APPROVAL OF MINUTES**

- A. Approve minutes of Special Meeting held on September 7, 2011.
- B. Approve minutes of Special Meeting held on September 8, 2011.
- C. Approve minutes of Special Meeting held on September 9, 2011.
- D. Approve minutes of the Regular Meeting held on September 13, 2011.

3) **BOARD MEMBER REPORTS**

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

Approximately 10 Minutes **COUNTY ADMINISTRATIVE OFFICE**

- 4) CAO Report regarding Board Assignments (Jim Arkens)  
RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

10:00 a.m. **DEPARTMENT REPORTS/EMERGING ISSUES**  
Approximately 15 minutes (PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Approximately 5 minutes for Consent Items

**CONSENT AGENDA**

*(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)*

**FINANCE**

- 5a) **Audit Services Contract** - Proposed contract with Gallina,LLP pertaining to audit

services for fiscal years ending June 30, 2012, 2013, and 2014.

**Recommended Action:** Approve County entry into proposed contract and authorize Chairman to execute said contract on behalf of the County. Provide any desired direction to staff.

**Fiscal Impact:** FY 11/12 \$70,000; FY 12/13 \$70,000; FY 13/14 \$70,000.

**COUNTY COUNSEL**

**Additional Departments:** CAO/HR

- 6a) **New Personnel Rules (MCPE/DPO)** - Proposed Resolution R11-\_\_\_, adopting and implementing a revised set of personnel rules (personnel system) with respect to employees whose positions are represented by the Mono County Public Employees (MCPE) and Deputy Probation Officers (DPO) bargaining units.

**Recommended Action:** Adopt proposed resolution #R11-\_\_\_\_\_, adopting and implementing a revised set of personnel rules (personnel system) with respect to employees whose positions are represented by the Mono County Public Employees (MCPE) and Deputy Probation Officers (DPO) bargaining units.

**Fiscal Impact:** None.

**REGULAR AGENDA**

**CORRESPONDENCE RECEIVED  
(INFORMATIONAL)**

All items listed are available for review and are located in the Office of the Clerk of the Board

**CLERK OF THE BOARD**

- 7a) **Letter from Department of Corrections and Rehabilitation** - Letter addressed to Sheriff Rick Scholl (Cc: Chairperson, Board of Supervisors, County of Mono) regarding the pre-opening inspection of the Mammoth Lakes County Courthouse.

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**BOARD OF SUPERVISORS**

- 8a) **Resolution of Appreciation for Robyn Delaney** - Resolution of appreciation honoring Robyn Delaney upon her retirement from Mono County.

5 minutes

**Recommended Action:** Approve resolution.

**Fiscal Impact:** None.

**COMMUNITY DEVELOPMENT - PLANNING DIVISION**

**Additional Departments:** County Counsel

- 9a) **Notice of Order for Standard Industrial Minerals** (Nick Criss) - Public hearing regarding a Notice of Order for Standard Industrial Minerals addressing non-compliance with Surface Mining and Reclamation Act (SMARA).

**Public  
Hearing**  
20 minutes

**Recommended Action:** Conduct public hearing. Consider and potentially approve Mono County's Notice of Order requiring that Standard Industrial Minerals commence and complete reclamation for both Hot Creek Kaolin and Pacific Sericite mine sites within the time limits specified in the order.

**Fiscal Impact:** None.

**ECONOMIC DEVELOPMENT**

**10a)**  
15 minutes

**Monthly Agenda Item for Tourism & Film Commission** (Alicia Vennos / Tourism Commissioners) - Pursuant to Minute Order # M11-152, the Mono County Tourism & Film Commission representative(s) and/or the Economic Development Manager will appear before the Board of Supervisors at the first meeting of each month to convey and discuss information and strategies relevant to tourism and economic development.

**Recommended Action:** None (informational only). Provide any desired direction to staff.

**Fiscal Impact:** None.

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**LUNCH**

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**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD** on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

**BOARD OF SUPERVISORS**

**11a)**  
15 minutes

**Great Basin Water Forum** (Stacey Simon) - County attendance at annual Great Basin Water Forum.

**Recommended Action:** Potentially approve and designate board member and/or staff person to attend the Great Basin Water Forum in Ely, Nevada on October 14, 2011. Provide any desired direction to staff.

**Fiscal Impact:** Approximately \$500 for mileage, meals, and one night's lodging in Ely, Nevada.

**COUNTY ADMINISTRATIVE OFFICE**

**Additional Departments:** Community Development

**12a)**  
15 minutes

**Human Resources - Building Official** (Jim Arkens) - Proposed resolution approving an employment agreement with Tom Perry and prescribing the compensation, appointment, and conditions of said employment (as the Building Official).

**Recommended Action:** Adopt proposed resolution.

**Fiscal Impact:** Cost for balance of FY 11-12 \$92,501.25 and is included in the approved budget. Total cost for a full fiscal year \$126,006.4.

**PUBLIC WORKS - ENGINEERING DIVISION**

**13a)**  
15 minutes

**California River Parkways Grant Application for Mountain Gate Phase III** (Mary Ellen Halpin) - Potentially authorize application to the California River Parkways Program for the Mountain Gate Trail and Restoration Project and approve and authorize the associated resolution.

**Recommended Action:** 1. Approve and Authorize the Department of Public Works, in conjunction with the Community Development Department, to prepare and submit a grant application to the California River Parkways Program for development funds associated with the Mountain Gate Trail and Restoration Project. 2. Approve and Authorize the Chairman's signature on Resolution No. 11- \_\_\_\_\_ "A Resolution of the Mono County

Board of Supervisors Approving the application for Grant Funds from the California River Parkway Grant Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84)".

**Fiscal Impact:** Approximately \$790,000 in development funds for the third phase of development of the Mountain Gate site if awarded the grant.

- 13b)** **Final Payment to Marzano & Sons for Lee Vining Streetscape** (Kelly Garcia) -  
15 minutes Consider final payment to Marzano and Sons for Lee Vining Streetscape project.

**Recommended Action:** Consider claim by Marzano and Sons in the amount of \$24,240.40 relative to sawcut and removal of concrete associated with the Lee Vining Streetscape project and potentially authorize payment of claim. Provide any desired direction to staff.

**Fiscal Impact:** \$15,200 additional allocation from the Bicycle/Pedestrian Set Aside Account. Remaining covered by previously-allocated project funds.

- 13c)** **Rejection of Bids for the Aspen Road Rehabilitation Project** (Garrett Higerd) -  
10 minutes Receive and reject all bids for the Aspen Road Rehabilitation project.

**Recommended Action:** Reject all bids for the Aspen Road Rehabilitation project.

**Fiscal Impact:** None.

#### **BOARD OF SUPERVISORS**

- 14a)** **Board of Supervisors--Change to Agenda Format** (Supervisor Hansen) - Consider a  
15 minutes recent request to add an additional opportunity for the public to address the Board after closed session, as shown in Exhibit 1. Supervisor Hansen requested this agenda item.

**Recommended Action:** Discuss the requested change. Provide direction to staff.

**Fiscal Impact:** None.

- 14b)** **Federal and State Budgets** (Board Members) - The Board of Supervisors may discuss  
15 minutes the Federal budget and the California State budget and potential impacts to Mono County.

**Recommended Action:** Discuss issues if necessary; provide staff direction if so desired.

**Fiscal Impact:** None.

- 14c)** **Lee Vining Canyon Field Trip** (Mike Schlafmann, Deputy District Ranger, Mammoth  
and Mono Lake Districts Inyo National Forest) - The Board will adjourn their meeting in  
**Adjourn 3:00** Bridgeport at 3:00 p.m. and will reconvene at the Lee Vining Ranger Station on Highway  
**p.m. for Field** 120 West at 4:00 p.m. Mike Schlafmann will provide a brief overview of the field trip and  
**Trip at 4:00** objectives. He will then take the Board on a tour of Lee Vining Canyon, which  
**p.m.** encompasses the lower portion of Tioga Pass along the banks of Lee Vining Creek. They  
1 hour will visit campgrounds and other sites in the lower canyon (this will require some walking  
on roads, nothing strenuous). Car pooling will be required in order to facilitate parking for  
field trip sites. Supervisor Hazard requested this agenda item.

**Recommended Action:** None. Informational only.

**Fiscal Impact:** None.

#### **ADJOURNMENT**

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